

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JANE DOE (S.A.S.), an individual,

Case No. 3:23-cv-06038-TMC

**Plaintiff,**

## ORDER GRANTING MOTION FOR SUMMARY JUDGMENT

V.

HILTON DOMESTIC OPERATING  
COMPANY INC. and DOUBLETREE  
MANAGEMENT, LLC,

#### Defendants.

## I. INTRODUCTION

Plaintiff S.A.S. alleges that she was a victim of sex trafficking at several hotels in the SeaTac, Washington area from 2002 through 2016. She sued the hotel owners and operators—Defendants ESA P Portfolio LLC, ESA Portfolio Operating Lessee, LLC, ESA Management, Inc., and Extended Stay America, Inc. (collectively, the “ESA Defendants”)<sup>1</sup>; Hilton Domestic Operating Company Inc. (“Hilton”) and Doubletree Management, LLC (“Doubletree”)(collectively, the “Hilton Defendants” or “Defendants”); and HLT Operate DTWC LLC (“HLT

<sup>1</sup> On August 1, 2025, the parties filed a notice of voluntary dismissal as to the ESA Defendants. Dkt. 176. The Court thus dismissed all claims with prejudice and the ESA Defendants' motion for summary judgment, Dkt. 133, was terminated.

1 Operate")<sup>2</sup>—alleging that the hotels were liable to her as beneficiaries or perpetrators of  
 2 trafficking. She brought her claims under the Trafficking Victims Protection Reauthorization Act  
 3 (“TVPRA”). The only claims that remain are her claims against the Hilton Defendants.

4 The Hilton Defendants moved for summary judgment, arguing that undisputed evidence  
 5 proves S.A.S. was not trafficked at their hotel on the dates alleged. Their evidence shows, first,  
 6 that S.A.S.’s traffickers were incarcerated on the alleged dates of her trafficking at their property,  
 7 the DoubleTree Seattle Airport Hotel (“DoubleTree”). Thus, they argue, it is impossible for  
 8 S.A.S. to have been trafficked at their property on the claimed dates. And second, their evidence  
 9 shows that S.A.S. did not stay at the DoubleTree with her traffickers on any other dates sought in  
 10 discovery.

11 S.A.S. responded, arguing that she has offered sufficient evidence to still raise a question  
 12 of material fact. Though she cannot pinpoint any other time when she may have been trafficked  
 13 at Defendants’ property, she contends that the trafficking must have occurred on some other date  
 14 when her traffickers were not in prison. She argues that she has offered sufficient evidence that  
 15 she was trafficked at the DoubleTree at some point between 2002 and 2016. Accordingly, S.A.S.  
 16 requests that the Court deny the motion and allow the case to proceed to trial.

17 There is no serious dispute that S.A.S. was a victim of sex trafficking. Nor is it  
 18 questioned that S.A.S. has difficulty recalling the timeline of what she endured because of the  
 19 traumatic nature of those events. But the Court must consider here whether there is sufficient  
 20 evidence that a reasonable jury could rely on to hold the Defendant hotels liable for S.A.S.’s

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22 <sup>2</sup> HLT Operate joined the Hilton Defendant’s motion and added arguments of their own.  
 23 Dkt. 149. The parties subsequently stipulated to dismissing HLT Operate from the case. Dkt.  
 24 173. The Court thus dismissed all claims against HLT Operate with prejudice, and their motion  
 was terminated. Dkt. 174.

1 trafficking under the TVPRA. And S.A.S. has not offered sufficient evidence to tie the harm she  
 2 suffered to Defendants. Thus, because S.A.S. has not put forth evidence from which a reasonable  
 3 jury could find in her favor, the Court GRANTS the motion for summary judgment. Dkt. 146.

## 4 II. FACTUAL AND PROCEDURAL BACKGROUND

5 The following background facts are either undisputed or viewed in the light most  
 6 favorable to S.A.S., the non-moving party. Additional material facts for each claim brought by  
 7 S.A.S. are discussed in the sections corresponding to those claims.<sup>3</sup>

### 8 A. The History of S.A.S.'s Trafficking

9 S.A.S has testified that she was trafficked at several hotels throughout the SeaTac,  
 10 Washington area from 2002 until 2016. Dkt. 144-2 at 10, 21, 43. This includes the DoubleTree  
 11 Seattle Airport Hotel (“DoubleTree”), operated by the Hilton Defendants. Dkt. 151 at 24.

12 S.A.S.’s trafficking began in 2002. Dkt. 144-2 at 21. S.A.S. met a man named Raphael  
 13 when she was “17, pregnant, and homeless.” *Id.* Raphael was her boyfriend and told her that she  
 14 needed to pay back money he had been spending on her. *Id.* The relationship and the trafficking  
 15 lasted about six months. *Id.* at 24.

16 A few months after her relationship with Raphael ended, S.A.S. met Dominic Rich. *Id.* at  
 17 25. S.A.S. believed Rich was her boyfriend. *Id.* Two months after they began dating, Rich told  
 18 her that he needed money to assist him with legal needs. *Id.* at 26. Having previously been  
 19 trafficked, S.A.S. suggested that she could help him by engaging in commercial sex. *Id.* S.A.S.

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20  
 21 <sup>3</sup> Many of the facts discussed in this Order come from documents which the Court allowed the  
 22 parties to file under seal, primarily to protect the identity and privacy interests of S.A.S., a victim  
 23 of sex trafficking. See Dkt. 145, 153, 158, 162, 170, 171. The Court has determined that because  
 24 the facts discussed in this Order are material to the outcome of the case, the strong presumption  
 of access to the Court’s records and the public interest in understanding the judicial process  
 outweigh any privacy interests in preventing disclosure of those material facts. Thus, while the  
 underlying records will remain sealed, this Order will not be sealed or redacted.

1 “only agreed to seeing one client to get the money for him,” but he began posting her on several  
 2 websites. *Id.* at 27–28. She was 18 years old at the time. *Id.* at 27. Rich controlled S.A.S.’s  
 3 commercial sex work “off and on” for the next “15 and a half years.” *Id.* at 28.

4 Rich regularly abused S.A.S. *See, e.g., id.* at 29–30. If S.A.S. was unsuccessful in  
 5 booking a client, Rich would beat her. *Id.* at 29. He was abusive “[a]lmost every day.” *Id.* at 30.  
 6 Rich exerted extraordinary levels of control over S.A.S. *See, e.g., id.* at 37–47, 47–48; Dkt. 142–  
 7 6 at 30. S.A.S. only ate when Rich brought her food. Dkt. 144-2 at 47. She had to ask him for  
 8 toiletries, clothing, and other basic needs. *Id.* He retained the money she made from engaging in  
 9 commercial sex. *Id.* at 47, 48.

10 At various times, Rich still managed to control S.A.S. from prison. *Id.* at 37, 47.  
 11 Sometimes while he was incarcerated she was trafficked by others, including a man named  
 12 Robert Jackson. *See, e.g., id.* at 38, 47; Dkt. 161-2 at 42. Other times, Rich would call her, tell  
 13 her what to write in an ad, what pictures to use, what prices to put, and so on. Dkt. 144-2 at 48.  
 14 She would send money that she made “to his books.” *Id.* And, once released, Rich would quickly  
 15 reestablish control over S.A.S. *Id.*

16 Rich and others trafficked S.A.S. at hotels. *Id.* at 30, 37, 54. Rich would pick the hotel  
 17 and book it online. *Id.* at 30. He would list her profile on Backpage or similar websites. Dkt. 151  
 18 at 58. S.A.S. explained, “[h]e would post me. He would answer the text messages. He would tell  
 19 me what to say. He would have a script written down.” Dkt. 144-2 at 28–29. Sometimes the  
 20 hotels were paid online and sometimes in person. *Id.* at 31.

21 Rich trafficked S.A.S. off and on through 2016. *Id.* at 14, 28. That August, S.A.S.  
 22 managed to support law enforcement in locating and arresting Rich. *Id.* at 14. Still, S.A.S. has  
 23 “struggled to free herself from Rich.” Dkt. 142 at 8. She explained that when Rich would go to  
 24 jail, she “would try to get a normal life,” but when he was released, her “life would go back to

1 hell.” Dkt. 144-2 at 60. S.A.S. testified that she has a “trauma bond” with Rich, and the two  
 2 share a child, making it more difficult to cut off contact. *Id.* at 75, 81, 84.

3 On November 13, 2023, S.A.S. sued Defendants. Dkt. 1. She brought her claims against  
 4 the Hilton Defendants—operators of a hotel at which she recalls being trafficked by Rich and  
 5 Jackson—under the TVPRA. Dkt. 53 ¶¶ 3–4, 129–40.

6 S.A.S. amended her complaint shortly after. Dkt. 10. Several months later, she moved to  
 7 file a second amended complaint, Dkt. 41, which the Court granted over Defendants’ opposition.  
 8 Dkt. 52, 53. Defendants moved to dismiss the case for failure to state a claim, Dkt. 58, Dkt. 64,  
 9 which the Court denied. Dkt. 102. The parties proceeded with discovery based on the Second  
 10 Amended Complaint. *See, e.g.*, Dkt. 104, Dkt. 105.

11 On May 19, 2025, Defendants moved for summary judgment. Dkt. 146. The motion  
 12 focused primarily on S.A.S.’s lack of evidence. *See, e.g.*, Dkt. 146 at 6, 12–15. There are four  
 13 key pieces to this argument: 1) Rich and Jackson were both incarcerated on the dates S.A.S.  
 14 contended she was trafficked by them at the DoubleTree; 2) a manager whom S.A.S. alleges  
 15 traded sex for free rooms at the DoubleTree was no longer employed on the dates provided;  
 16 3) there is no evidence to corroborate S.A.S.’s testimony that she was also trafficked at the  
 17 DoubleTree on other, unknown dates; and 4) her uncorroborated testimony alone is too  
 18 conclusory for a reasonable jury to find Defendants liable under the TVPRA. *See, e.g.*, Dkt. 146  
 19 at 6. Consequently, the history of discovery and the facts produced are necessary here. The Court  
 20 recounts the testimony produced in written discovery, depositions, and supplemental affidavits.

21 **B. S.A.S.’s Trafficking at the DoubleTree Hotel Seattle Airport**

22 S.A.S.’s claims against the Hilton Defendants concern trafficking at the Seattle Airport  
 23 DoubleTree in Seattle, Washington. Dkt. 161-2 at 10, 77; Dkt. 53 ¶¶ 92–128. In her complaint,  
 24 S.A.S. alleged that she was repeatedly trafficked for sex at the DoubleTree for “a period of time

1 that included approximately November 29, 2013 to November 30, 2013.” Dkt. 53 ¶ 92. The  
 2 complaint notes that “S.A.S.’s trafficking at the Doubletree Hotels Seattle Airport was not  
 3 limited to the dates listed, but those are the only specific dates she is currently able to identify.  
 4 Upon information and belief, Defendants’ records will reveal additional dates that S.A.S. was at  
 5 this hotel.” *Id.*

6 Accordingly, fact discovery proceeded by focusing on the November 2013 dates and  
 7 seeking evidence identifying additional nights S.A.S. was trafficked at the DoubleTree. *See*  
 8 Dkt. 146 at 6.

9           1.       *Written Discovery*

10           In their interrogatory requests, Defendants asked S.A.S. to “[i]dentify the trafficker and  
 11 associates who were responsible for Plaintiff’s alleged trafficking at the DoubleTree . . . ,  
 12 including the circumstances of how Plaintiff came to be trafficked by the trafficker . . . , [and]  
 13 whether the trafficker was physically present at the DoubleTree . . . at the time of the alleged  
 14 trafficking[.]” Dkt. 151 at 57–58. S.A.S. identified two individuals who trafficked her at the  
 15 DoubleTree Hotel Seattle Airport: Dominic Rich and Robert Jackson. *Id.* at 57–58, 62. She  
 16 responded that both Jackson and Rich trafficked her on different occasions at the hotel and that  
 17 Rich trafficked her on the November 2013 dates. *Id.* at 58, 62.

18           She added that a manager at the DoubleTree forced her to have sex with him in exchange  
 19 for rooms. *Id.* at 58. She explained that the manager would refuse to let her “pay cash for the  
 20 room because he wanted sex in exchange.” *Id.* When rooms were not traded for sex, they were  
 21 booked using a “prepaid Vanilla or Greendot card, or cash.” *Id.* at 59. Rooms were rented in her  
 22 name, or in the names of Rich or one other individual. *Id.*

23           The Hilton Defendants similarly asked S.A.S. to “[i]dentify and describe all facts,  
 24 including all documents or physical evidence, which refer or relate to the trafficker who was

1 responsible for Plaintiff's alleged trafficking at the DoubleTree Hotel Seattle Airport." *Id.* at 62.  
2 She responded, "Dominic Rich and Robert Jackson were both responsible for trafficking me at  
3 the Doubletree hotel on different occasions. Dominic Rich trafficked me here in November of  
4 2013." *Id.*

5 S.A.S. produced a booking receipt for a stay at the DoubleTree from November 29–30,  
6 2013. *Id.* at 59. She explained, however, that those "were not the only dates that [she] was at this  
7 hotel location." *Id.* That said, she noted that Rich was the one who trafficked her at the  
8 DoubleTree in November 2013. *Id.* at 62.

9 She recalled several details from her time at the DoubleTree:

10 Housekeeping would have seen lots of unused condoms, multiple used condoms  
11 and wrappers, stripper/platform high heels, skimpy and provocative mini dresses.  
12 There was always overuse of towels and linens. Dominic would use the hotel  
13 computers to upload provocative photos of me and post ads on Backpage. I was  
14 always having to go to the front door to get johns. I remember being on the first  
15 floor, not too far from the hotel desk, often times waiting on the johns. There was  
16 always heavy traffic to and from the room. I would get in trouble by my trafficker  
17 if I had to go find the john after not giving him the correct description of where to  
18 find my room. I remember having to see at least seven johns from November 29-  
19 30. I was forced to have sex with the manager/employee so it was obvious as to  
20 what was happening at this location.

21 *Id.* at 63.

22 S.A.S. also stated that her counsel was "in possession of hotel booking  
23 receipts/confirmations, Backpage ads, police reports, medical and billing records, photos and  
24 screenshots of photos, articles about [her] trafficker and the victim impact statement that [she]  
wrote when Dominic Rich was finally arrested." *Id.* at 61–62. The only records of hotel  
reservations S.A.S. produced were for November 2013. *Id.* at 77–78. The current manager of the  
DoubleTree submitted a declaration attesting that, other than the November 2013 date, there is  
no record of S.A.S., her traffickers, or their known aliases in the DoubleTree's reservation  
system between January 1, 2013 and August 19, 2016. Dkt. 152.

1                   2.     *Deposition Testimony*

2                 During her deposition, S.A.S. testified that she was trafficked at the DoubleTree for a  
3     “month or two in total[,]” somewhere between thirty and sixty nights from 2002 to 2016.  
4                 Dkt. 161-2 at 72. She testified that she searched her email and other records for reservations and  
5     produced what she could find. *Id.* Those records said that she had stayed at the DoubleTree on  
6     November 29, 2013, checking out on November 30. Dkt. 151 at 77.

7                 S.A.S.’s deposition testimony about the November 29, 2013 stay was somewhat  
8     inconsistent. At one point, S.A.S. testified that she did not have a “specific recollection” of  
9     staying at the DoubleTree on November 29, 2013. Dkt. 161-2 at 72–73. She could not recall any  
10    interactions with workers that day, nor what room she stayed in. *Id.* at 73–74. At another point,  
11    however, S.A.S. testified that while she did not specifically remember staying at the DoubleTree  
12    on that date, she knew Rich was her trafficker during that visit and that he used the computers at  
13    the hotel to advertise her. Dkt. 151-1 at 22. She testified that Rich had used her email address to  
14    make the reservation on Hotwire. *Id.* at 24.

15                 S.A.S.’s testimony about the overall timeline of her trafficking at the DoubleTree was  
16     also inconsistent. S.A.S. testified that there was a manager at the DoubleTree who traded sex  
17     with her for free rooms. Dkt. 161-2 at 83. He told her he was a manager at the hotel and that he  
18     wanted to see her and be a regular. *Id.* at 84. She estimated they engaged in commercial sex at  
19     least thirty times, and that Rich was aware of and approved this arrangement. *Id.* at 85–86. She  
20     could not remember the year when first asked, but then testified that their interaction began after  
21     November 29, 2013. *Id.* S.A.S. testified that she only stayed at the DoubleTree “a couple times  
22     without the manager being there,” *id.* at 86, and she agreed that November 2013 was “one of the  
23     first times” she stayed at the DoubleTree and “everything else happened thereafter,” *id.* at 87.

1 She said that the last time she stayed at the DoubleTree was when she refused to have sex with  
 2 the manager. Dkt. 151-1 at 37.

3       Later in the deposition, however, S.A.S. estimated that Jackson trafficked her around  
 4 2011 and 2012, while Rich was incarcerated. Dkt. 161-2 at 106. And she explained that Jackson  
 5 would “put [her] at the DoubleTree” during that time. *Id.* at 109. S.A.S. never equivocated on  
 6 who trafficked her at the DoubleTree, repeatedly clarifying that Rich and Jackson “both were my  
 7 traffickers at the DoubleTree[.]” *See id.* at 108.

8       When asked what the manager who traded sex for rooms looked like, S.A.S. described  
 9 him as “African,” “five ten or five eleven,” with “short hair” and an “athletic buil[d],” likely in  
 10 his 30s or 40s. *Id.* During the deposition, counsel for the Hilton Defendants showed S.A.S.  
 11 several photographs of men who fit that description—one of whom had worked at the  
 12 DoubleTree. *See* Dkt. 151 at 101–02. They obtained the photographs from the individual’s  
 13 Facebook profile. *Id.* at 102. S.A.S. identified the man who had worked at the DoubleTree as the  
 14 manager who had exchanged rooms for sex. *Id.* at 91, 102.

15           3.       *Hilton’s Key Evidence on Summary Judgment*

16       The Hilton Defendants moved for summary judgment, Dkt. 146, based primarily on the  
 17 following evidence: Dominic Rich was incarcerated from October 5, 2010 through May 13,  
 18 2014, and Robert Jackson was incarcerated from November 1, 2011 through August 10, 2015.  
 19 Dkt. 134 at 56; Dkt. 148 at 16–25; *infra* Section IV.A.1. Further, Hilton’s search of its  
 20 reservation system had not found any record of stays by S.A.S. or her traffickers from January 1,  
 21 2013 through August 2016, other than the November 29, 2013 stay identified by S.A.S. Dkt. 152  
 22 ¶¶ 3–7. And the Hilton employee identified by S.A.S. as the manager who traded rooms for sex  
 23 had been fired in May 2012. Dkt. 152 ¶¶ 8–10; Dkt. 151-11. Therefore, Defendants argued,  
 24 S.A.S. could not have been trafficked at their hotel by Rich or Jackson on the only specific dates

1 alleged in 2013, nor could the manager she identified have been complicit in her trafficking by  
2 exchanging rooms for sex in that timeframe.

3       4. *Post-Deposition Affidavit*

4       In opposing Defendants' motion for summary judgment, S.A.S. submitted a declaration  
5 that sought to clarify her deposition testimony. Dkt. 161-1. In the declaration, she wrote: "While  
6 I cannot identify specific dates when I was trafficked at the Seattle Airport DoubleTree, I am  
7 certain this is a hotel where I was trafficked on multiple occasions." Dkt. 161-1 ¶ 4. With respect  
8 to the manager who exchanged rooms for sex, S.A.S. stated: "I do not remember the timeframe  
9 during which this man was one of my regular tricks at the Seattle Airport Double Tree, but I  
10 know he called me back to this hotel many times until one occasion when I refused to have sex  
11 with him. This man would see my traffickers leaving as he entered my hotel room and would  
12 interact with my traffickers at the front desk." *Id.* ¶ 5. S.A.S. repeated many of the details she had  
13 previously testified to about what occurred when Rich trafficked her: he used lobby computers to  
14 post ads for her, interacted with hotel staff, prevented her from leaving the room unaccompanied,  
15 injected her with drugs, and physically abused her in ways that could be seen and heard by hotel  
16 staff. *See id.* ¶ 7. She also noted similar recollections about Jackson's presence and actions at the  
17 DoubleTree. *Id.* ¶ 8. But she acknowledged she could not remember any dates on which these  
18 things happened. *Id.* ¶¶ 3–4.

19       To explain the lack of specificity, S.A.S. states in her affidavit:

20       Although I had repeatedly stated that I did not remember the dates when I was  
21 trafficked at the Seattle Airport Doubletree, at one point I tried to provide a  
22 timeline. The timeline that I gave was not based on my own memory of the dates  
23 when things happened. Instead, I said that my trafficking at the Seattle Airport  
24 DoubleTree must have occurred after the date that the lawyers kept asking me  
about.

*Id.* ¶ 11. She notes that she had also testified that Jackson likely trafficked her at this hotel before he was arrested in 2011 or 2012. *Id.* ¶ 14. She does not narrow the potential date further. *See id.* And she offers no potential date range for her trafficking by Rich at the DoubleTree. *See id.* Finally, S.A.S. stated that she does “not specifically recall whether or why I was at the Seattle Airport Double Tree on November 29, 2013.” *Id.* ¶ 15.

Defendants replied. Dkt. 163. The motion for summary judgment, Dkt. 146, has been fully briefed. The Court held oral argument on July 28, 2025 and heard from both parties. Dkt. 171; Dkt. 175. The motion is ripe for the Court's consideration.

### **III. LEGAL STANDARD**

#### A. Summary Judgment

“The court shall grant summary judgment if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.” Fed. R. Civ. P. 56(a). A dispute as to a material fact is genuine “if the evidence is such that a reasonable jury could return a verdict for the nonmoving party.” *Villiarimo v. Aloha Island Air, Inc.*, 281 F.3d 1054, 1061 (9th Cir. 2002) (quoting *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986)). The moving party has the initial burden of “showing”—that is, pointing out to the district court—that there is an absence of evidence to support the nonmoving party’s case.” *Celotex Corp. v. Catrett*, 477 U.S. 317, 325 (1986). If the moving party meets its initial burden, the nonmoving party must go beyond the pleadings and “set forth specific facts showing that there is a genuine issue for trial.” *Anderson*, 477 U.S. at 248. The moving party is entitled to judgment as a matter of law when the nonmoving party fails to make a sufficient showing on an essential element of a claim in the case on which the nonmoving party has the burden of proof. *Celotex*, 477 U.S. at 323.

1           Generally, “[t]he evidence of the nonmovant is to be believed, and all justifiable  
 2           inferences are to be drawn in his favor.”” *Tolan v. Cotton*, 572 U.S. 650, 651 (2014) (per curiam)  
 3           (quoting *Anderson*, 477 U.S. at 255). “Credibility determinations, the weighing of the evidence,  
 4           and the drawing of legitimate inferences from the facts are jury functions, not those of a judge.”  
 5           *Anderson*, 477 U.S. at 255. Thus, at summary judgment, the court must resolve “factual issues of  
 6           controversy in favor of the non-moving party[.]” *Lujan*, 497 U.S. at 888 (internal quotations  
 7           omitted). But conclusory, nonspecific statements in affidavits are not sufficient, and “missing  
 8           facts” will not be presumed. *See Lujan v. Nat'l Wildlife Fed'n*, 497 U.S. 871, 889 (1990).

9           **B. Trafficking Victims Protection Reauthorization Act (TVPRA)**

10           “In 2000, Congress enacted the [Trafficking Victims Protection Act] to combat  
 11           trafficking in persons, a contemporary manifestation of slavery whose victims are predominantly  
 12           women and children, to ensure just and effective punishment of traffickers, and to protect their  
 13           victims.” *Ratha v. Phatthana Seafood Co.*, 35 F.4th 1159, 1164 (9th Cir. 2022) (internal  
 14           quotation marks omitted). Congress “reauthorized and amended” the statute in 2003 and added a  
 15           civil remedy provision, which provided for civil liability for those who perpetrated or  
 16           participated in an underlying violation of the statute’s criminal provisions. *See* Trafficking  
 17           Victims Protection Reauthorization Act of 2003, Pub. L. No. 108-193, § 4(a)(4)(A), 117 Stat.  
 18           2875 (2003). Congress again reauthorized and amended the TVPRA in 2008 “to expand the civil  
 19           remedies provision.” *Ratha*, 35 F.4th at 1164. Under that provision:

20           An individual who is a victim of a violation of this chapter may bring a civil action  
 21           against the perpetrator (or whoever knowingly benefits, or attempts or conspires to  
 22           benefit, financially or by receiving anything of value from participation in a venture  
 23           which that person knew or should have known has engaged in an act in violation of  
 24           this chapter) in an appropriate district court of the United States and may recover  
 damages and reasonable attorneys fees.

25           18 U.S.C. § 1595. Relevant here, the TVPRA sets out criminal liability for:

(a) Whoever knowingly—

(1) in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States, recruits, entices, harbors, transports, provides, obtains, advertises, maintains, patronizes, or solicits by any means a person; or

(2) benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1),

knowing, or, except where the act constituting the violation of paragraph (1) is advertising, in reckless disregard of the fact, that means of force, threats of force, fraud, coercion described in subsection (e)(2), or any combination of such means will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act, shall be punished as provided in subsection (b).

18 U.S.C. § 1591. The civil provision of the statute thus creates liability for both those who perpetrate trafficking themselves (“perpetrator liability”) and those who “knowingly benefit[], financially or by receiving anything of value from participation in a venture which that person knew or should have known has engaged in an act in violation of” the TVPRA (“beneficiary liability”). 18 U.S.C. § 1595(a).

## IV. DISCUSSION

#### **A. Rulings on Evidence and Argument Before the Court**

### *1. Judicial Notice of Rich and Jackson's Incarceration*

A court may take judicial notice of facts “not subject to reasonable dispute” because they are either: “(1) [ ] generally known within the trial court’s territorial jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201. This includes “information [that] was made publicly available by government entities” where “neither party disputes the authenticity . . . or the accuracy of the information.” *Daniels-Hall v. Nat’l Educ. Ass’n*, 629 F.3d 992, 998–99 (9th Cir. 2010). And a court may take notice of “documents on file in federal or state courts.” *Harris v. Cnty. of*

1      *Orange*, 682 F.3d 1126, 1132 (9th Cir. 2012). The Court may take judicial notice sua sponte or  
 2      upon the request of a party. Fed. R. Evid. 201(c).

3                Courts in this circuit have applied these principles to take judicial notice of an  
 4      individual's incarceration. *See, e.g., U.S. v. Basher*, 629 F.3d 1161, 1165 (9th Cir. 2011) (taking  
 5      judicial notice of public information on the Bureau of Prisons inmate locator website); *Foley v.*  
 6      *Martz*, No. 3:18-cv-02001-CAB-AGS, 2018 WL 5111998, at \*1 n.1. (S.D. Cal. Oct. 19, 2018)  
 7      (taking judicial notice of information on California Dept. of Corrections and Rehabilitation  
 8      inmate locator website); *Benton v. El Dorado Cnty. Sheriff's Dep't*, No. 2:15-CV-0772 AC P,  
 9      2018 WL 4444605, at \*1 n.2 (E.D. Cal. Sept. 18, 2018) ("[R]eview of the inmate-locator  
 10     websites operated by the California Department of Corrections and Rehabilitation (CDCR) and  
 11     the EDCJ indicate that plaintiff is not incarcerated under the authority of either.").

12               S.A.S. does not dispute the dates of Rich's incarceration or the records from this period.  
 13      The dates of his incarceration are facts subject to judicial notice. They are "matters of public  
 14     record whose authenticity is not disputed." *Hammler v. Lyons*, No. 119CV01650AWIGSAPC,  
 15     2023 WL 395898, at \*3 (E.D. Cal. Jan. 25, 2023), *report and recommendation adopted*, No.  
 16     119CV01650AWIGSAPC, 2023 WL 2839470 (E.D. Cal. Apr. 7, 2023). Accordingly, the Court  
 17     notes that Rich was incarcerated from October 5, 2010 through May 13, 2014. Dkt. 134 at 56.

18               The Court also takes judicial notice of the dates of Jackson's incarceration. Jackson was  
 19     incarcerated from November 1, 2011 through August 10, 2015. Dkt. 148 at 16–25.

20               2.      *Consideration of S.A.S.'s Declaration*

21               Defendants also argue that the Court should not consider the declaration offered by  
 22     S.A.S. in opposition to their summary judgment motion. Dkt. 163 at 6–8 (discussing Dkt. 161-1).  
 23     Defendants contend that the declaration directly contradicts S.A.S.'s previous sworn testimony  
 24     and should be stricken under the "sham affidavit" rule. *Id.*

1           In Defendants' telling, having realized "that her sworn testimony denies the truth,  
 2 [S.A.S.] and her attorneys have shifted to a new version of events." Dkt. 163 at 6. They argue  
 3 that S.A.S.'s "refusal to give new dates" for when she was trafficked at their hotel or "an  
 4 alternative timeline obfuscates rather than clarifies matters, and, if anything, only creates further  
 5 contradictions with her testimony." *Id.* at 7 (citation modified). They claim that the declaration  
 6 either directly contradicts her sworn testimony or offers new facts, such as an interaction with  
 7 another hotel employee. *Id.* at 7–8. S.A.S. responds that her declaration explains honest  
 8 confusion in her earlier testimony and is not directly inconsistent. Dkt. 159 at 19.

9           "The general rule in the Ninth Circuit is that a party cannot create an issue of fact by an  
 10 affidavit contradicting his prior deposition testimony." *Yeager v. Bowlin*, 693 F.3d 1076, 1080  
 11 (9th Cir. 2012) (citing cases). This sham affidavit rule prevents "a party who has been examined  
 12 at length on deposition" from "rais[ing] an issue of fact simply by submitting an affidavit  
 13 contradicting his own prior testimony," which "would greatly diminish the utility of summary  
 14 judgment as a procedure for screening out sham issues of fact." *Id.* (citations omitted). But the  
 15 sham affidavit rule "should be applied with caution because it is in tension with the principle that  
 16 the court is not to make credibility determinations when granting or denying summary  
 17 judgment." *Id.* (citation omitted). To trigger the sham affidavit rule, a "district court must make a  
 18 factual determination that the contradiction is a sham, and the 'inconsistency between a party's  
 19 deposition testimony and subsequent affidavit must be clear and unambiguous to justify striking  
 20 the affidavit.'" *Id.* (citation modified).

21           Some portions of S.A.S.'s declaration are consistent with her deposition testimony: that  
 22 she estimates she was trafficked at the DoubleTree for a total of 30–60 days over 15 years; that  
 23 she struggles to remember the timeline of events; that a DoubleTree manager insisted on trading  
 24

1 rental of hotel rooms for sex; and that she remembers both Rich and Jackson being present and  
2 trafficking here there. *See id.* ¶¶ 3–8.

3 But other, material portions of her declaration do contradict her prior sworn interrogatory  
4 answers and deposition testimony. At her deposition, S.A.S. testified that Rich must have been  
5 with her when she was at the DoubleTree in November 2013, and that she remembered him  
6 using the hotel’s computers during the visit. Dkt. 151-1 at 22–23. She testified that Rich made  
7 the hotel reservation using her email address. *Id.* at 24. She testified that trading commercial sex  
8 with the manager for free rooms occurred after November 2013, that she only stayed at the  
9 DoubleTree a couple times when the manager wasn’t there, and that the last time she stayed at  
10 the DoubleTree was after refusing sex with the manager. *Id.* at 34–37. Similarly, in her  
11 interrogatory answers, S.A.S. stated repeatedly and unequivocally that Rich had trafficked her at  
12 the DoubleTree in November 2013. *See supra* Section II.B.1. Only after Hilton put forward its  
13 summary judgment evidence establishing the impossibility of this timeline did S.A.S. submit her  
14 new declaration, stating that she could not remember any specific dates that she was trafficked at  
15 the hotel; that she was not sure whether or why she stayed at the DoubleTree in November 2013,  
16 that she could not give any timeline for when the hotel’s manager traded rooms for sex; and that  
17 the timeline offered in her deposition had been a mistaken belief based on the lawyer’s questions.  
18 *See* Dkt. 161-1 ¶¶ 3–6, 11–13, 15.

19 This change in S.A.S.’s testimony following disclosure of Defendants’ summary  
20 judgment evidence is what the sham affidavit rule is designed to prevent. And there are clear,  
21 unambiguous inconsistencies between S.A.S.’s sworn deposition testimony and interrogatory  
22 answers and her later declaration. But striking S.A.S.’s declaration is ultimately unnecessary  
23 because the changes in her testimony do not help her case. S.A.S. essentially admits in her  
24 declaration that there is no longer evidence that ties her trafficking to the November 29, 2013

1 date—the only specific date for which there was any evidence of S.A.S.’s presence at the  
2 DoubleTree hotel. Without that connection, she instead rests her summary judgment opposition  
3 on her testimony that, while she cannot provide any date range, she is certain that she was  
4 trafficked at the DoubleTree by Rich and Jackson, and that the DoubleTree manager was  
5 complicit in her trafficking by trading rooms for sex, at some point before Rich and Jackson  
6 were incarcerated.

7 The Ninth Circuit has recognized that “declarations are often self-serving, and this is  
8 properly so because the party submitting it would use the declaration to support his or her  
9 position.” *Nigro v. Sears, Roebuck & Co.*, 784 F.3d 495, 497 (9th Cir. 2015) (citing *S.E.C. v.*  
10 *Phan*, 500 F.3d 895, 909 (9th Cir. 2007)). “Although the source of the evidence may have some  
11 bearing on its credibility and on the weight it may be given by a trier of fact, the district court  
12 may not disregard a piece of evidence at the summary judgment stage solely based on its self-  
13 serving nature.” *Id.* (citing *Phan*, 500 F.3d at 909). Still, “a self-serving declaration does not  
14 always create a genuine issue of material fact for summary judgment: The district court can  
15 disregard a self-serving declaration that states only conclusions and not facts that would be  
16 admissible evidence.” *Id.* (citing cases).

17 Many of the statements in S.A.S.’s declaration are little more than conclusions. For  
18 example, she states, “[w]hile I cannot identify specific dates when I was trafficked at the Seattle  
19 Airport DoubleTree, I am certain this is a hotel where I was trafficked on multiple occasions.”  
20 Dkt. 161-1 ¶ 4. And again, she explains, “[w]hile I do not know the dates of my trafficking at the  
21 Seattle Airport DoubleTree and I cannot independently recall a timeline, I can say that my  
22 trafficking at the Seattle Airport DoubleTree must have included times before November 2013.”  
23 *Id.* ¶ 14. While S.A.S. describes facts surrounding how Rich and Jackson behaved when they  
24 trafficked her, the only evidence connecting their trafficking to Defendants is S.A.S.’s

conclusory, “uncorroborated[,] and self serving” testimony. *Villiarimo*, 281 F.3d at 1061 (citations omitted). While the Court does not question S.A.S.’s testimony that the ongoing trauma from her trafficking makes it difficult to remember the timeline of events, the question on summary judgment is whether there is sufficient evidence in the record for a reasonable jury to find Defendants liable on the elements of a TVPRA claim. As explained further below, *see infra* Section IV.B, even considering her declaration, S.A.S. has not met that burden.

### 3. *Claims Raised at Oral Argument*

At oral argument, S.A.S.’s counsel attempted to raise a new argument—that it was not Rich or Jackson, but instead a man named Napoleon “Drop” Matthews who trafficked S.A.S. at the DoubleTree in November 2013. *See* Dkt. 175. Arguments raised for the first time at oral argument are generally considered waived. *See In re Pac. Pictures Corp.*, 679 F.3d 1121, 1130 (9th Cir. 2012) (“We generally do not consider issues raised for the first time during oral argument, unless failure to do so would result in manifest injustice and the appellee would not be prejudiced by such consideration.”) (citation modified); *see also James v. Ryan*, 679 F.3d 780, 804 (9th Cir. 2012), *cert. granted, judgment vacated on other grounds*, 568 U.S. 1224, (2013) (“When a party raises a distinct argument for the first time at oral argument before us, not having briefed it at all, we normally consider that argument waived.”). Accordingly, the Court will not consider this new argument, but notes that S.A.S unequivocally testified on several occasions that her only traffickers at the DoubleTree were Rich and Jackson. *See, e.g.*, Dkt. 161-2 at 42–45, 108–109.

### B. **TVPRA Claims Against the Hilton Defendants**

The Hilton Defendants contend that, even if S.A.S.’s affidavit is considered, they are entitled to summary judgment on the merits of her TVPRA claims. Defendants principally argue that S.A.S.’s “version of the facts is entirely contradicted by record evidence.” Dkt. 146 at 6.

1 They note that the “men who supposedly trafficked her on the hotel premises were imprisoned”;  
 2 “the manager who she accuses of giving her free rooms in exchange for sex (at no benefit to  
 3 Hilton) was not employed”; and she has failed to produce any additional hotel room records to  
 4 identify other stays at the DoubleTree. *Id.* Thus, they conclude, “no reasonable juror could  
 5 possibly find Hilton liable.” *Id.*

6 S.A.S. responds that, while “S.A.S. vividly remembers the trauma she endured at the  
 7 hotel, she struggles— years later—to recall specific dates or place events in a clear timeline.”  
 8 Dkt. 159 at 2. S.A.S. argues that it is not the place of the Court to “discredit S.A.S.’s testimony  
 9 based on her confusion about dates and timeline.” *Id.* Rather, a “jury could credit the substance  
 10 of her testimony despite S.A.S.’s difficulty recalling dates, especially given the passage of time,  
 11 the chaotic and traumatic circumstances of her trafficking, and the psychological harm she  
 12 suffered.” *Id.* (citation omitted).

13 S.A.S. ventures two theories of liability under the TVPRA: beneficiary liability and  
 14 perpetrator liability. Dkt. 159 at 9, 15. The Court takes the elements of each in turn.

15       1.     *Beneficiary Liability*

16 To succeed on a beneficiary liability theory under § 1595(a), the plaintiff must show that  
 17 the defendant “(1) knowingly benefitted, (2) from participation in a venture . . . , (3) which they  
 18 knew or should have known was engaged in conduct that violated the TVPRA.” *Ratha*, 35 F.4th  
 19 at 1175 (citing 18 U.S.C. § 1595(a)).<sup>4</sup> Proving each element is required. *See id.*

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20

21 <sup>4</sup> In *G.G. v. Salesforce.com, Inc.*, the Seventh Circuit “reorganized the most common summaries  
 22 of these elements to follow a logical sequence rather than the sequence of the phrases in Section  
 23 1595”: “a plaintiff . . . who is a victim of a criminal violation must allege and ultimately prove  
 24 that (1) a venture has engaged in an act in violation of Section 1591, (2) the defendant knew or  
 should have known that the venture had violated Section 1591, (3) the defendant participated in  
 that venture, and (4) the defendant knowingly benefited from its participation.” 76 F.4th 544, 553  
 n.5 (7th Cir. 2023).

1           The Hilton Defendants assert that S.A.S. cannot satisfy the elements of her beneficiary  
2 liability claim because she cannot prove that Hilton engaged in any transactions with her  
3 traffickers, nor that the Hilton Defendants “knew or should have known” that she was being  
4 trafficked at their hotel. Dkt. 146 at 21. They argue that “the trafficker’s absence during the  
5 relevant timeframe means that Hilton could not have established a ‘pattern of conduct’ or formed  
6 a ‘tacit agreement’ with him” from which Defendants could benefit. *Id.* at 22. And, they point  
7 out, the man who S.A.S. claims traded sex for rooms was fired in 2012—a period for which  
8 S.A.S. cannot offer evidence of any stays at the DoubleTree. *See id.* Defendants rely on the  
9 evidence they have offered to show that S.A.S. did not stay at the hotel on any other dates for  
10 which records were sought during discovery, while pointing out that S.A.S. has failed to produce  
11 any evidence of stays on her own. *See id.* at 21–23.

12           The Court agrees with Defendants that, even viewing the evidence in the light most  
13 favorable to S.A.S., her beneficiary liability claim must be dismissed because she cannot prove  
14 that Defendants participated in a venture with her traffickers. When the Court denied  
15 Defendants’ motion to dismiss, it found that S.A.S. had met this element by plausibly alleging a  
16 continuous business relationship between her traffickers and the Hilton Defendants. (*S.A.S.*) v.  
17 *ESA P Portfolio LLC*, No. 3:23-CV-06038-TMC, 2024 WL 3276417, at \*6–7 (W.D. Wash. July  
18 2, 2024). But S.A.S. has not met her burden to produce evidence sufficient to sustain that theory  
19 at the summary judgment stage.

20           As the Court explained in its order on Defendants’ motion to dismiss, courts have  
21 recognized multiple ways to establish the “participation in a venture” requirement. *See id.* at \*6  
22 (citing cases). One method is by establishing a “direct and continuous relationship that existed  
23 between the parties.” *Doe I v. Apple Inc.*, 96 F.4th 403, 416 (D.C. Cir. 2024) (citing *G.G. v.*  
24 *Salesforce.com, Inc.*, 76 F.4th 544, 560 (7th Cir. 2023)). Where a defendant hotel “provides

1 assistance, support, or facilitation to the trafficker through such a ‘continuous business  
 2 relationship,’ a court or jury may infer that the participant and trafficker have a ‘tacit agreement’  
 3 that is sufficient for ‘participation’ under Section 1595.” *G.G.*, 76 F.4th at 559 (quoting *M.A. v.*  
 4 *Wyndham Hotels & Resorts, Inc.*, 425 F. Supp. 3d 959, 970 (S.D. Ohio 2019) (plaintiff must  
 5 show “a continuous business relationship between the trafficker and the hotels such that it would  
 6 appear that the trafficker and the hotels have established a pattern of conduct or could be said to  
 7 have a tacit agreement”)).

8 At the Rule 12(b)(6) stage, where the Court was required to presume the truth of S.A.S.’s  
 9 allegations, the Court found her complaint plausibly alleged this element against the Hilton  
 10 Defendants. *Doe (S.A.S.)*, 2024 WL 3276417, at \*6–7. S.A.S. alleged that she had been  
 11 trafficked at the DoubleTree on dates that included but were not limited to November 2013; that  
 12 Hilton’s records would reveal additional dates; that her trafficker maintained a relationship with  
 13 the hotel’s staff, including the manager who traded rooms for sex; that Hilton continued to rent  
 14 rooms to and maintain a relationship with her trafficker even after observing obvious signs of  
 15 trafficking; and that hotel staffers had made a report to Hilton about the signs of trafficking. See  
 16 *id.* at \*2 (citing Dkt. 53). The Court explained that this “plausibly connected the dots” between  
 17 Defendants and S.A.S.’s trafficking, as it alleged that hotel staff continued to provide rooms and  
 18 maintain a relationship with S.A.S.’s trafficker even after observing obvious “red flags” of her  
 19 trafficking that its policies required reporting up the corporate chain of command. *Id.* at \*7.

20 But S.A.S. has not been able to sustain these allegations with evidence sufficient to  
 21 survive summary judgment. “A moving party without the ultimate burden of persuasion at trial—  
 22 usually, but not always, a defendant—has both the initial burden of production and the ultimate  
 23 burden of persuasion on a motion for summary judgment.” *Nissan Fire & Marine Ins. Co. v.*  
 24 *Fritz Companies, Inc.*, 210 F.3d 1099, 1102 (9th Cir. 2000) (citation omitted). To carry its

1 burden of production, the movant “must either produce evidence negating an essential element of  
2 the nonmoving party’s claim or defense or show that the nonmoving party does not have enough  
3 evidence of an essential element to carry its ultimate burden of persuasion at trial.” *Id.* (citation  
4 omitted). If a moving party “carries its burden of production, the nonmoving party must produce  
5 evidence to support its claim or defense.” *Id.* at 1103 (citing cases). And S.A.S. has not done so.

6 Here, Defendants met their initial burden by producing evidence that the two men who  
7 allegedly trafficked S.A.S. at the DoubleTree were incarcerated in November 2013, the only  
8 specific dates alleged; that the DoubleTree’s reservation system did not contain records of  
9 additional stays; and that the hotel manager identified by S.A.S. as being complicit in her  
10 trafficking had been fired by 2012. In addition to the prison records subject to judicial notice,  
11 Defendants offered testimony from Jon McFarland, General Manager at the DoubleTree Seattle  
12 Airport. Dkt. 152 ¶ 2. McFarland conducted a reservation system review reaching back to  
13 January 1, 2013 through August 19, 2016. *Id.* ¶ 4–5. He searched both for S.A.S.’s name, as well  
14 as several other names provided in connection with the suit. *Id.* ¶ 5. He also searched for  
15 addresses related to the individuals. *Id.* The results showed only the online booking made by  
16 S.A.S. for November 29 and 30, 2013. *Id.* ¶ 6. There were no other reservation records for her or  
17 her aliases or addresses. *Id.* The same was true for Rich. *Id.* Though there were reservations for  
18 the name Robert Jackson, there “is no indication that these reservations are associated with the  
19 Robert Jackson identified in” the complaint. *Id.* ¶ 7. The available address information for each  
20 of the individuals is different and none “align with any known information for [S.A.S.] or the  
21 Robert Jackson in question.” *Id.*

22 Additionally, the records show that the Hilton employee/manager identified by S.A.S. in  
23 her deposition was fired from the DoubleTree in May 2012. *Id.* ¶ 9. To the best of McFarland’s  
24

1 knowledge, “there were no other front desk managers of African descent at the DoubleTree  
2 Seattle Airport between 2013 and 2016.” *Id.* ¶ 10.

3 In response, S.A.S. argues that her traffickers “brought her back to this hotel repeatedly,  
4 resulting in her being trafficked there for a total of between 30 and 60 non-consecutive days.”  
5 Dkt. 159 at 10. S.A.S. maintains that her testimony about the open signs of trafficking that  
6 occurred on those visits is enough to establish a continuous business relationship. *See id.*; *see also* Dkt. 161-1 ¶¶ 4–8.

7 But even if the Court declines to strike S.A.S.’s declaration as a sham affidavit, her  
8 testimony that she was trafficked at the DoubleTree by two different men for a total of 30 to 60  
9 non-consecutive days between 2002 and 2016 is simply not enough for a reasonable jury to find  
10 a *continuous* business relationship. The courts applying that test—including this Court when  
11 denying Defendants’ motion to dismiss—have focused on allegations or evidence of an ongoing  
12 pattern of activity between the civil defendant and the trafficker that is sufficient to infer the  
13 defendant knew or should have known they were facilitating the specific trafficker’s venture. *See*  
14 *G.G.*, 76 F.4th at 561 (“‘Participation’ does not require getting yours hands dirty. It is enough  
15 that plaintiffs allege that Salesforce facilitated the success of Backpage’s sex-trafficking venture  
16 *as a whole.*”) But without any evidence of S.A.S. being trafficked for even two consecutive  
17 nights—or even two nights in close proximity to each other—across fifteen years, a reasonable  
18 jury could not infer “a continuous business relationship between the trafficker and the hotels  
19 such that it would appear that the trafficker and the hotels have established a pattern of conduct  
20 or could be said to have a tacit agreement.” *M.A.*, 425 F. Supp. 3d at 970. Because S.A.S. cannot  
21 establish that the Hilton Defendants participated in her traffickers’ venture, her beneficiary  
22 liability claim must be dismissed.  
23

1                   2.         *Perpetrator Liability*

2                 S.A.S. also alleges that Defendants violated the TVPRA on a “perpetrator liability”  
 3 theory. “Civil perpetrator liability under § 1595 adopts § [1591]’s elements for criminal  
 4 liability.” *B.J. v. G6 Hosp., LLC*, No. 22-cv-03765-MMC, 2023 WL 6120682, at \*11 (N.D. Cal.  
 5 Sept. 18, 2023) (internal quotation marks omitted). “To prove a criminal violation of Section  
 6 1591, the government must prove that the defendant, with the requisite state of mind, either  
 7 (1) engaged in one of the listed acts of sex trafficking or (2) benefitted from participating in a  
 8 venture that engaged in one of those acts.” *G.G.*, 76 F.4th at 552. To prove beneficiary liability  
 9 under the criminal provision, § 1591(a)(2), the perpetrator must have “knowingly assist[ed],  
 10 support[ed], or facilitat[ed]” whoever “recruit[ed] . . . , harbor[ed], or maintain[ed]” the victim.  
 11 § 1591(e)(4).

12                 As for the criminal provision’s knowledge requirement, “[w]hat the statute requires is  
 13 that the defendant kn[ew] in the sense of being aware of an established modus operandi that will  
 14 in the future cause a person to engage in prostitution.” *J.M. v. Choice Hotels Int’l, Inc.*, No. 2:22-  
 15 cv-00672-KJM-JDP, 2023 WL 3456619, at \*2 (E.D. Cal. May 15, 2023) (quoting *United States  
 16 v. Todd*, 627 F.3d 329, 334 (9th Cir. 2010)).

17                 S.A.S.’s perpetrator liability claim fails for the same fundamental reason as her  
 18 beneficiary liability claim. At the Rule 12(b)(6) stage, the Court found that this claim survived  
 19 because S.A.S. had plausibly alleged that Hilton knowingly facilitated or assisted the trafficking  
 20 operation by maintaining a relationship with her trafficker despite staff observing and reporting  
 21 obvious signs of her trafficking. *Doe (S.A.S.)*, 2024 WL 3276417, at \*10. But the only evidence  
 22 remaining at summary judgment—that S.A.S. was trafficked at the DoubleTree for a total of 30  
 23 to 60 unknown, non-consecutive nights by two different men across fifteen years—is not  
 24

1 sufficient for a reasonable jury to find that the Hilton Defendants knowingly assisted, supported,  
2 or facilitated her traffickers.

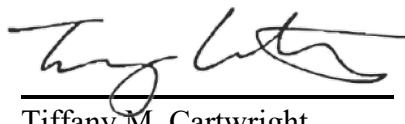
3 **C. Statute of Limitations**

4 The parties also raise arguments regarding the statute of limitations on S.A.S.'s claims.  
5 The closest S.A.S. comes now to identifying specific dates on which she was trafficked is her  
6 testimony that she was likely trafficked at the DoubleTree by Robert Jackson sometime in 2011  
7 or 2012. Dkt. 161-1 ¶ 14 ("I specifically recall that Robert Jackson trafficked me at this hotel and  
8 the period when he trafficked me was before he and Michelle Liggett were arrested in front of  
9 my apartment complex in 2011 or 2012."). As Defendants point out, Jackson was incarcerated  
10 beginning in November 2011, and Rich was incarcerated beginning in October 2010, so any  
11 trafficking by those two men before November 2013 must have occurred before those dates. *See*  
12 Dkt. 163 at 9. But S.A.S. did not file her complaint until November 2023, and the TVPRA has a  
13 ten-year statute of limitations. 18 U.S.C. § 1595(c)(1). Thus, Defendants argue, any claims based  
14 on trafficking before November 2013 are also time-barred. Dkt. 163 at 9. S.A.S. responds that  
15 application of the discovery rule or equitable tolling would save these claims. Dkt. 159 at 20–21.  
16 Because S.A.S.'s claims are dismissed on the merits, the Court does not reach these arguments.

17 **V. CONCLUSION**

18 For these reasons, the motion for summary judgment, Dkt. 146, is GRANTED, and  
19 S.A.S.'s claims are DISMISSED with prejudice. The Court will enter judgment and the Clerk is  
20 directed to CLOSE the case.

21 Dated this 11th day of August, 2025.

22   
23 \_\_\_\_\_  
Tiffany M. Cartwright  
United States District Judge  
24